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STATE OF CONNECTICUT DEPARTMENT OF SOCIAL SERVICES AFFIRMATIVE ACTION DIVISION

POLICY GOVERNING SEXUAL HARASSMENT

Policy

Sexual harassment of employees, applicants for employment, and applicants for and recipients of services or benefits provided by the Department of Social Services ("DSS or the "Department") is strictly prohibited. Sexual harassment is unacceptable and the Department shall not condone or tolerate it in any form. Retaliation against an individual who complains about sexual harassment or who cooperates with an investigation of a complaint is unlawful and, if found to have occurred, will not be tolerated by the Department. If it is established that sexual harassment or retaliation against an individual who complains about or participates in an investigation concerning sexual harassment has occurred, the DSS employee faces serious discipline, up to and including suspension or termination from employment. The purpose of this policy is to identify and prevent sexual harassment and offer individuals who believe they have been sexually harassed a means to redress any such claim with the goal of ending the harassment and providing an environment free of discrimination, including sexual harassment. The Department intends to take whatever appropriate action may be needed to prevent, correct, and, if necessary, discipline behavior that violates this policy.

Definition

Sexual harassment is defined in Connecticut law as follows:

[A]ny unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:

- (1) Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;
- (2) Submission to, or rejection of, such conduct by an individual is used as the basis for employment decisions affecting such individual or;
- (3) Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

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Conn. Gen. Stat. § 46a-60(8). See also Conn. Agencies Regs. § 46a-54-200(a).

Words or actions that may reasonably be perceived as offensive and unwelcome may be viewed as sexual harassment. When interacting with other employees and with clients, DSS employees must be sensitive to how their words and actions may be perceived by others.

Examples

Examples of sexual harassment include, but are not limited, to the following:

- engaging in sexual flirtation, touching, unwanted sexual advances such as hugging or kissing, or propositioning;
- verbal comments of a sexual nature;
- making graphic, suggestive, or lewd comments about an individual's dress or physical appearance;
- using sexually degrading words to describe an individual;
- displaying sexually suggestive objects or materials, such as sexually explicit photographs, drawings, posters, cartoons, jokes or email messages;
- making a comment or spreading a rumor about an individual's gender or sexual orientation, which embarrasses, ridicules or demeans the individual;
- requesting sexual favors;
- threatening or insinuating, either explicitly or implicitly, that an employee's refusal to submit to sexual advances will adversely affect the employee's performance evaluation, wages, advancement, assigned duties, or any other privilege or condition of employment.

No person shall be restrained, intimidated, threatened, coerced or discriminated against by any employee of the Department because he or she complained about sexual harassment or testified, participated or assisted in an internal or external investigation, proceeding or hearing relating to allegations of sexual harassment. Any such activity is strictly prohibited and must be reported immediately to the Affirmative Action Division. If it is established that such activity has occurred, the DSS employee faces serious discipline, up to and including suspension or termination from employment.

Employee Responsibilities

All employees have the following responsibilities:

- refrain from engaging in behaviors that constitute sexual harassment;
- immediately report to any supervisor or manager or to the Affirmative Action Division, in accordance with the Department's Procedures for Sexual Harassment Complaint Processing, if they believe they have been subjected to sexual harassment;

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encourage victims of sexual harassment to report such harassment as soon as possible after the sexual harassment occurs;

- report any observed sexual harassment or any sexual harassment about which they become aware to a supervisor or manager or to the Affirmative Action Division as soon as possible after learning about or observing the incident;
- refrain from retaliating against other employees for complaining about or reporting sexual harassment or for participating in any internal or external investigation of such conduct.

Management and Supervisory Responsibilities

In addition to the responsibilities listed above, all supervisors and managers shall make reasonable efforts to create and maintain an environment that is free of sexual harassment and ensure mutual dignity and respect. Such reasonable efforts shall include, but not be limited to, the following:

- implementing preventive measures, including complying with the training and informational posting requirements of the Commission on Human Rights and Opportunities as set forth in sections 46a-54-200 to 46a-54-207, inclusive, of the Regulations of Connecticut State Agencies;
- monitoring working conditions to detect sexually harassing conduct;
- not tolerating sexual harassment by any DSS employee, regardless of the employee's location, which includes an assignment outside of the workplace or at DSS sponsored events;
- encouraging the immediate reporting of sexual harassment;
- reporting complaints of sexual harassment promptly to the Affirmative Action Division and participating in a prompt and thorough investigation;
- taking action consistent with the investigative report's findings and directives of the Commissioner of Social Services.

Complaint Process

Employees, applicants for employment and applicants for and recipients of services or benefits provided by the Department may file a sexual harassment complaint with DSS' Affirmative Action Division. Staff of the Affirmative Action Division, or other staff, as designated by the Commissioner of Social Services, will investigate the complaint, as described in the Department's Procedures for Sexual Harassment Complaint Processing.



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